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10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 GHASSAN HOUBOUS BOUARI,

13 Plaintiff,

14 v.

15 CHARLES RO; DENNIS LAO;
16 DOE INDIVIDUALS 1-20,

17 Defendants.
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CASE NO. 18-CV-00219-JCM-PAL

**UNOPPOSED MOTION FOR LEAVE
TO FILE FIRST AMENDED
COMPLAINT**

1 Plaintiff Ghassan Housbous, through his attorneys, Benjamin C. Durham
 2 and Eugene Iredale, moves for leave to file the first amended complaint. The first
 3 amended complaint is in response to the government's 12(b)(6) motion to dismiss
 4 the *Bivens* causes of action. The Plaintiff has elected not to proceed on two of the
 5 original four *Bivens* causes of action originally alleged: the *Bivens* claims for Equal
 6 Protection and Due Process Violation (originally denominated Count II) and for
 7 Unlawful Search and Seizure of Property and Belongings (originally denominated
 8 Count III). The *Bivens* claims for Malicious Prosecution and Fabrication of
 9 Evidence (originally Count I) and Unlawful Seizure of the Person (originally
 10 Count IV) have been converted to a single cause of action which specifies the
 11 Constitutional harm (seizure and detention without probable cause) accomplished
 12 through the means of fabrication of evidence and malicious prosecution. Counsel
 13 for the defendants, Siegmund Fuchs, has been consulted and has no opposition to
 14 this motion.

15 Plaintiff files this amended complaint in lieu of an opposition to the 12(b)(6)
 16 motion.

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 19 Respectfully Submitted,

20 **IREDALE AND YOO, APC**

21 Dated: December 23, 2020

s/ Eugene Iredale

22 EUGENE IREDALE

23 Attorney for Plaintiff

Ghassan Houbous Bouari

24 ORDER

25 IT IS ORDERED that plaintiff's motion is GRANTED as unopposed. LR 7-2(d). The
 26 Clerk of Court is kindly directed to detach and separately docket plaintiff's complaint
 27 (ECF No. 29-1).

IT IS SO ORDERED

DATED: 12:16 pm, December 29, 2020

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BRENDA WEKSLER

UNITED STATES MAGISTRATE JUDGE